

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

DAVID SCHWARTZ,

Plaintiff,

v.

Case No. 2:21-cv-208-JLB-MRM

ADP, LLC, and AUTOMATIC DATA
PROCESSING, INC.,

Defendants.

ORDER

On March 17, 2021, the Court directed Plaintiff David Schwartz to file a supplemental memorandum addressing ADP, LLC's citizenship for purposes of subject matter jurisdiction. (Doc. 8.) Specifically, the Court directed Mr. Schwartz to provide more information about the citizenship of ADP, LLC's members for purposes of subject matter jurisdiction. 28 U.S.C. § 1332; Rolling Greens MHP, L.P. v. Comcast SCH Holdings, 374 F.3d 1020, 1022 (11th Cir. 2004).

Mr. Schwartz's supplemental memorandum is not responsive to that request; it does not contain any information about ADP, LLC's members. At most, Mr. Schwartz restates that ADP, LLC is a "wholly owned subsidiary" of Automatic Data Processing, Inc. This statement is not sufficient for the Court to determine the citizenship of ADP, LLC's members. See Post v. Biomet, Inc., No. 3:20-cv-527-J-34JRK, 2020 WL 2766210, at *1 (M.D. Fla. May 28, 2020).

Because Mr. Schwartz has failed to meet his burden of demonstrating subject matter jurisdiction, it is this case is sua sponte **DISMISSED without prejudice**

for lack of subject matter jurisdiction. The Clerk is **DIRECTED** to terminate any pending deadlines and close the file.

ORDERED in Fort Myers, Florida, on March 24, 2021.

A handwritten signature in black ink, reading "John L. Badalamenti". The signature is written in a cursive style with a large, looping "J" and "B".

JOHN L. BADALAMENTI
UNITED STATES DISTRICT JUDGE